



The Navajo Nation

DR. JOE SHIRLEY, JR.
President

BEN SHELLY
Vice President

May 24, 2007

The Honorable Kevin J. Martin, Chairman
Federal Communication Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Martin:

First of all, the Navajo Nation thanks you and the members of the Federal-State Joint Board on Universal Service for guiding the development of telecommunication services. Your service to our country, and citizens, is extremely important and vital to the economic sustainability of America.

The growth of the Navajo Nation depends on the wireless telecommunications services provided by the various telecommunications carriers. The 27,000 square miles of federally entrusted land to the Navajo Nation cannot, in the near future, be wired to accommodate the growth of its communities. Our schools need distance learning capabilities, our hospitals need telehealth capabilities, the safety of our communities require E911 capabilities, the sustainability of our economic and community developments call for Geographical Information Systems, and we need to maintain an E-government environment to consistently keep up with the growth of our people.

We currently have Wi-Fi systems, two-way satellite systems, cellular phone systems, point to point microwave systems, and point to multi-point communications systems to assist in our current growth. A majority of these systems were developed and sustained with the Universal Service Fund. The Navajo Nation needs these wireless systems because of the lengthy process of obtaining rights of ways on federal trust lands. The development of wireless technology has provide us the ability to leap frog all the bureaucracy associated with obtaining rights-of-way, and allows us to quickly and efficiently provide vital services to our people.


The Navajo Nation is concerned about the Joint Board proposal to cap High Cost disbursements to wireless and other carriers. A cap on the financial resources used to enhance the wireless infrastructure will severely impact the growth of the Navajo Nation. The Incumbent Local Exchange Carriers for the Navajo Nation are hampered by the ability to acquire new rights-of-way and therefore cannot expand to meet the needs of Navajo communities. Evan today, large parts of the Navajo Nation have no landline service, and the limited wireless service available does not always provide adequate coverage. Capping the funds available to competitive carriers will only serve to slow the deployment of wireless

services into these under served rural areas. Furthermore, placing a cap on wireless providers will limit competition, which in turn will affect the efforts of the ILEC to expand its telecommunication infrastructure on the Navajo Nation. We strongly urge you to reject the implementation of a temporary cap as a means of reforming the USF program, because we have experience that temporary actions can become long term permanent policies. Instead, we ask for better accountability from competitive ETCs on how funds are used and we would like to see the fund used to promote the build-out of advanced services in rural regions.

In conclusion, we urge you to reject the implementation of an interim cap and explore other ways of controlling fund growth without impeding the investment in our rural infrastructure that the Navajo Nation so desperately needs.

As Chairman of the Federal Communications Commission, you have very difficult choices ahead of you in stabilizing the growth of the USF and developing new policies to make sure the funding can meet the needs of all tribal rural communities across America.

Sincerely,



Dr. Joe Shirley, President
THE NAVAJO NATION

Cc: Commissioner Deborah Taylor Tate
Commissioner Michael J. Copps
Commissioner Jonathan S. Adelstein
Commissioner Robert M. McDowell
Commissioner Lisa Polak Edgar
Commissioner Larry S. Landis
Commissioner John D. Blake